

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
KEVIN GIBBONS)	
and JOHN CONTE,)	
)	
Plaintiffs,)	
)	Civil Action No. 04CV10453RWZ
v.)	
)	
CHAMPION WINDOW COMPANY)	
OF BOSTON SOUTH, LLC,)	
)	
Defendant.)	
_____)	

DEFENDANTS' REQUESTED VOIR DIRE
QUESTIONS FOR PROSPECTIVE JURORS

Defendant Champion Window Company of Boston South, LLC ("Champion") requests, pursuant to Fed.R.Civ.P. 47(a), that the Court ask the following questions of prospective jurors in this case:

Personal History

1. Please state your name and home address.
2. Are you married? If you have children, what are their ages?
3. Please describe your educational background, including any diplomas or degrees which you have received, and the educational background of the others in your household?

Employment History

1. Where are you employed and where is your spouse employed?
2. Have you or your spouse or any of your children ever been employed in the home improvement industry? If so, please describe your job experience.

Knowledge of the Parties and Counsel

1. Do you know or have you heard of:
 - a. Champion Window Company
 - b. Kevin Gibbons
 - c. John Conte
 - d. Dwayne Draggoo
 - e. Linda Rosenfield
 - f. Joseph Lopes
 - g. George McGrady
 - h. Attorney Kevin Callanan
 - i. Attorney Adam Brodsky

Attitude Toward Parties

1. Have you, your spouse or any of your children even been involved in a dispute with a home improvement contractor? If so, please describe your experience.
2. Have you, your spouse or any of your children ever been terminated from a job? If so, please describe the experience.
3. Have you, your spouse or any of your children ever been involved in a dispute with an employer? If so, please describe the experience.

Attitudes Toward Lawsuits

1. Have you been a party to a lawsuit? If so, (i) were you suing or being sued? (ii) who was the other party? and (iii) what was the basis of the claim and what was the outcome of the lawsuit?
2. Have you ever made a claim against another person or entity for money damages which did not end in a lawsuit? If so, (i) who was the other party? and (ii) what was the basis of the claim and what was the outcome?
4. Will you be able to put aside any sympathy you may have for the plaintiffs and decide this case solely on the basis of the evidence you hear and the judge's instructions?

Prior Jury Service

1. Have you ever served on a jury before? If so, please tell us about each time you were a juror – state when, what court and the type of case involved, something about the nature of the case, and who won?
2. What effect, if any, has your service on a jury had on you ideas concerning: (1) plaintiffs; (2) defendants; (3) lawyers; and (4) the court system generally.
3. Is there any reason that you can think of that would prevent you from being a fair and impartial juror?

CHAMPION WINDOW COMPANY OF
BOSTON SOUTH, LLC

By its attorneys,

/s/Adam J. Brodsky

Adam J. Brodsky (BBO #548018)

72 Sharp Street, Unit A9

Hingham, MA 02043

(781) 340-6900

Dated: January 26, 2005

ChampionConteGibbonsVairDire.doc